# APPENDIX A - SCOPING COMMENTS

# **Scoping Comments**

The following meetings were held to obtain comments from agencies, stakeholders and the general public:

August 21, 2007 - Informational Meeting with the Bluffs Home Owners Association

December 17, 2007 – Agency Scoping Meeting

February 8, 2008 – Presentation to the American River Coalition

February 11, 2008 – Public Scoping Meeting

February 15, 2008 – Presentation to the American River Parkway Advisory Committee

March 27, 2008 – Presentation to the Recreation and Parks Commission Several Field Trips with County Park Staff

Comments received at these meetings, and follow-up conversations are summarized below:

# Habitat

- Turbidity is an issue.
- Imported gravel from other watersheds may not be acceptable to fish.
- High flows would move gravel downstream.
- Program should allow for adaptive management.
- Consider sub-surface permeability and fish requirements.
- Creating side channel habitats may provide more benefits that simply dumping gravel in the river.
- An overall vision of the river is needed, including a geomorphic conceptual framework and a balance of natural and human intervention.
- If side channels are developed, Reclamation must commit to maintaining flows to prevent them from being dewatered during critical salmonid life stages.
- Consider the slaking of the "bedrock" Merhten layer when constructing side channels.
- Include measures to prevent the spread of New Zealand mud snails.
- At American River South it is OK to cut down any trees of heaven and to do some grading to avoid elderberry shrubs. Gravel should be stockpiled on the higher, firmer area of the bar.
- At Site 5, the public access road would probably need to be closed when trucks/front loaders are crossing the road.
- At lower Sailor Bar, County Parks suggested building a ramp down to the river for access.
- At upper Sailor Bar, County Parks suggested stockpiling the gravel in the unpaved parking lot and moving it with front end loaders to the river. The route through the vegetation needs to be carefully selected.
- Fish are in the river during September, so avoid impacts.
- Avoid impacts to Valley Elderberry Longhorn Beetle in restoration areas.
- The fine material from the sorting operation may be useful for the restoration areas.

# Maintenance

• Plan should include maintenance, monitoring and evaluation.

# Construction

- Consider stockpiling gravel when costs are least expensive.
- Consider ripping gravel before placing new gravel (increases turbidity).
- Consider getting gravel from within Folsom Reservoir.

#### Recreation

- Consider the public access and fishing access for a long side channel at Sailor Bar (this option is no longer in the proposed action).
- Constructed riffles may impede boat passage.

# **Mitigation**

- Parkway infra-structure and access roads must be repaired if damaged by the project.
- Dust, noise, and traffic.

# Consultation and Public Outreach

- Have a plan for public outreach.
- Provide briefings to the Parkway Coalition, the American River Parkway Advisory Committee, and the Recreation and Park Commission.
- Consult with County Parks regarding vegetation between tailing piles.
- Consult with County Parks regarding restoration plans. Native plants are highly preferred.
- Put EA on the Water Forum's web site.
- Include interpretive signs.

# Public Safety

- There is a concern regarding the spilling of gravel from trucks on the public roads and subsequent damage to vehicles.
- There is concern regarding recreational impacts, including signage and closure/fencing areas.

# APPENDIX B - THREATENED AND ENDANGERED SPECIES LIST FROM FISH AND WILDLIFE SERVICE

# UNITED STATES DEPARTMENT OF THE INTERIOR

# FISH AND WILDLIFE SERVICE

Sacramento Fish and Wildlife Office 2800 Cottage Way, Room W-2605 Sacramento, California 95825 PISHA WILDLIFE SERVICE

April 24, 2008

Document Number: 080424104117

Douglas Kleinsmith U.S. Bureau of Reclamation 2800 Cottage Way Sacramento, CA 95825

Subject: Species List for Lower American River Salmonid Spawning and Side-Channel Establishment Program

Dear: Mr. Kleinsmith

We are sending this official species list in response to your April 24, 2008 request for information about endangered and threatened species. The list covers the California counties and/or U.S. Geological Survey 7½ minute quad or quads you requested.

Our database was developed primarily to assist Federal agencies that are consulting with us. Therefore, our lists include all of the sensitive species that have been found in a certain area *and also ones that may be affected by projects in the area*. For example, a fish may be on the list for a quad if it lives somewhere downstream from that quad. Birds are included even if they only migrate through an area. In other words, we include all of the species we want people to consider when they do something that affects the environment.

Please read Important Information About Your Species List (below). It explains how we made the list and describes your responsibilities under the Endangered Species Act.

Our database is constantly updated as species are proposed, listed and delisted. If you address proposed and candidate species in your planning, this should not be a problem. However, we recommend that you get an updated list every 90 days. That would be July 23, 2008.

Please contact us if your project may affect endangered or threatened species or if you have any questions about the attached list or your responsibilities under the Endangered Species Act. A list of Endangered Species Program contacts can be found at <a href="https://www.fws.gov/sacramento/es/branches.htm">www.fws.gov/sacramento/es/branches.htm</a>.

Endangered Species Division

# FEDERAL ENDANGERED AND THREATENED SPECIES THAT OCCUR IN OR MAY BE AFFECTED BY PROJECTS IN THE COUNTIES AND/OR U.S.G.S. 7 1/2 MINUTE QUADS YOU REQUESTED

**Document Number: 080424104117** 

Database Last Updated: January 31, 2008

### **QUAD LISTS**

# **Listed Species**

#### **Invertebrates**

- Branchinecta conservatio
  - Conservancy fairy shrimp (E)
- Branchinecta lynchi
  - o Critical habitat, vernal pool fairy shrimp (X)
  - o vernal pool fairy shrimp (T)
- Desmocerus californicus dimorphus
  - o Critical habitat, valley elderberry longhorn beetle (X)
  - o valley elderberry longhorn beetle (T)
- Lepidurus packardi
  - o Critical habitat, vernal pool tadpole shrimp (X)
  - o vernal pool tadpole shrimp (E)

#### **Fish**

- Hypomesus transpacificus
  - o delta smelt (T)
- Oncorhynchus mykiss
  - o Central Valley steelhead (T) (NMFS)
  - o Critical habitat, Central Valley steelhead (X) (NMFS)
- Oncorhynchus tshawytscha
  - o Central Valley spring-run Chinook salmon (T) (NMFS)
  - o winter-run Chinook salmon, Sacramento River (E) (NMFS)

# **Amphibians**

Ambystoma californiense

- o California tiger salamander, central population (T)
- Rana aurora draytonii
  - o California red-legged frog (T)

### **Reptiles**

- Thamnophis gigas
  - o giant garter snake (T)

#### **Plants**

- Orcuttia tenuis
  - o Critical habitat, slender Orcutt grass (X)
- Orcuttia viscida
  - o Critical habitat, Sacramento Orcutt grass (X)
  - Sacramento Orcutt grass (E)

# **Quads Containing Listed, Proposed or Candidate Species:**

FOLSOM (511B)

**CITRUS HEIGHTS (512A)** 

CARMICHAEL (512D)

# **COUNTY LISTS**

No county species lists requested.

# Key:

- (E) Endangered Listed as being in danger of extinction.
- (T) Threatened Listed as likely to become endangered within the foreseeable future.
- (P) Proposed Officially proposed in the Federal Register for listing as endangered or threatened.
- (NMFS) Species under the Jurisdiction of the <u>National Oceanic & Atmospheric Administration</u> Fisheries Service. Consult with them directly about these species.
- Critical Habitat Area essential to the conservation of a species.
- (PX) Proposed Critical Habitat The species is already listed. Critical habitat is being proposed for it
- (C) Candidate Candidate to become a proposed species.
- (V) Vacated by a court order. Not currently in effect. Being reviewed by the Service.
- (X) Critical Habitat designated for this species

# IMPORTANT INFORMATION ABOUT YOUR SPECIES LIST

#### **How We Make Species Lists**

We store information about endangered and threatened species lists by U.S. Geological Survey 7½ minute quads. The United States is divided into these quads, which are about the size of San Francisco.

The animals on your species list are ones that occur within, or may be affected by projects within, the quads covered by the list.

- Fish and other aquatic species appear on your list if they are in the same watershed as your quad or if water use in your quad might affect them.
- Amphibians will be on the list for a quad or county if pesticides applied in that area may be carried to their habitat by air currents.
- Birds are shown regardless of whether they are resident or migratory. Relevant birds on the county list should be considered regardless of whether they appear on a quad list.

#### **Plants**

Any plants on your list are ones that have actually been observed in the area covered by the list. Plants may exist in an area without ever having been detected there. You can find out what's in the surrounding quads through the California Native Plant Society's online <u>Inventory of Rare and Endangered Plants</u>.

#### Surveying

Some of the species on your list may not be affected by your project. A trained biologist or botanist, familiar with the habitat requirements of the species on your list, should determine whether they or habitats suitable for them may be affected by your project. We recommend that your surveys include any proposed and candidate species on your list.

For plant surveys, we recommend using the <u>Guidelines for Conducting and Reporting Botanical</u> <u>Inventories</u>. The results of your surveys should be published in any environmental documents prepared for your project.

# Your Responsibilities Under the Endangered Species Act

All animals identified as listed above are fully protected under the Endangered Species Act of 1973, as amended. Section 9 of the Act and its implementing regulations prohibit the take of a federally listed wildlife species. Take is defined by the Act as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect" any such animal.

Take may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or shelter (50 CFR §17.3).

Take incidental to an otherwise lawful activity may be authorized by one of two procedures:

- If a Federal agency is involved with the permitting, funding, or carrying out of a project that may result in take, then that agency must engage in a formal consultation with the Service.
- During formal consultation, the Federal agency, the applicant and the Service work together to avoid or minimize the impact on listed species and their habitat. Such consultation would result in a biological opinion by the Service addressing the anticipated effect of the project on listed and proposed species. The opinion may authorize a limited level of incidental take.
- If no Federal agency is involved with the project, and federally listed species may be taken as part of the project, then you, the applicant, should apply for an incidental take permit. The Service may issue such a permit if you submit a satisfactory conservation plan for the species that would be affected by your project.
- Should your survey determine that federally listed or proposed species occur in the area and are likely to be affected by the project, we recommend that you work with this office and the California Department of Fish and Game to develop a plan that minimizes the project's direct and indirect impacts to listed species and compensates for project-related loss of habitat. You should include the plan in any environmental documents you file.

#### **Critical Habitat**

When a species is listed as endangered or threatened, areas of habitat considered essential to its conservation may be designated as <u>critical habitat</u>. These areas may require special management considerations or protection. They provide needed space for growth and normal behavior; food, water, air, light, other nutritional or physiological requirements; cover or shelter; and sites for breeding, reproduction, rearing of offspring, germination or seed dispersal.

Although critical habitat may be designated on private or State lands, activities on these lands are not restricted unless there is Federal involvement in the activities or direct harm to listed wildlife.

If any species has proposed or designated critical habitat within a quad, there will be a separate line for this on the species list. Boundary descriptions of the critical habitat may be found in the Federal Register. The information is also reprinted in the Code of Federal Regulations (50 CFR 17.95). See our <u>critical habitat page</u> for maps.

#### **Candidate Species**

We recommend that you address impacts to candidate species. We put plants and animals on our candidate list when we have enough scientific information to eventually propose them for listing as threatened or endangered. By considering these species early in your planning process you may be able to avoid the problems that could develop if one of these candidates was listed before the end of your project.

# **Species of Concern**

The Sacramento Fish & Wildlife Office no longer maintains a list of species of concern. However, various other agencies and organizations maintain lists of at-risk species. These lists provide essential information for land management planning and conservation efforts. More info

# Wetlands

If your project will impact wetlands, riparian habitat, or other jurisdictional waters as defined by section 404 of the Clean Water Act and/or section 10 of the Rivers and Harbors Act, you will need to obtain a permit from the U.S. Army Corps of Engineers. Impacts to wetland habitats require site specific mitigation and monitoring. For questions regarding wetlands, please contact Mark Littlefield of this office at (916) 414-6580.

# **Updates**

Our database is constantly updated as species are proposed, listed and delisted. If you address proposed and candidate species in your planning, this should not be a problem. However, we recommend that you get an updated list every 90 days. That would be July 23, 2008.

# APPENDIX C - NATIONAL PARK SERVICE WILD AND SCENIC RIVERS EVALUATION



# **United States Department of the Interior**

NATIONAL PARK SERVICE Pacific West Region 1111 Jackson Street Oakland, CA 94607

April, 16<sup>th</sup>, 2008

Doug Kleinsmith
Division of Environmental Affairs
U.S. Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Subject: Lower American River Salmonid Spawning Gravel Augmentation And Side-Channel Habitat Establishment Program

Dear Mr. Kleinsmith:

This message is in response to my review of materials provided regarding the Lower American River Salmonid Spawning Gravel Augmentation And Side-Channel Habitat Establishment Program

Section 7 of the Wild and Scenic Rivers Act prohibits federal agencies from "assisting by loan grant, license, or otherwise in the construction of any water resources project that would have a direct and adverse effect on the values for which such river was established."

Based on the information provided I feel that the proposed project will not have a direct and adverse effect on the values for which the river was designated. However if the project scope should change, further consultation with the National Park Service would be required.

If you have any further questions, please contact me at (510) 817-1451.

Sincerely,

Stephen Bowes CA Wild and Scenic Rivers Coordinator National Park Service 1111 Jackson Street, suite 700 Oakland, CA 94607